

CITY OF WARWICK

LESLIE WALASKA BAXTER

POLICE DEPARTMENT

Chairwoman

99 Veterans Memorial Drive

401-468-4200

JAMES PAOLUCCI

Vice-Chairman

FIRE DEPARTMENT

111 Veterans Memorial Drive

THOMAS P. MCGOVERN

401-468-4000

Clerk

BOARD OF PUBLIC SAFETY

Warwick, Rhode Island 02886

POLICE DEPARTMENT – REGULAR SESSION

COMMUNITY ROOM

WARWICK POLICE HEADQUARTERS

November 12, 2013

AGENDA

1. The minutes of the Board of Public Safety meeting held on

**Tuesday, October 22, 2013 to
be submitted for approval.**

ACTION:

2. Colonel Stephen M. McCartney to recommend transfers and reassignments.

ACTION:

LICENSES AND PERMITS

**3. Liquor License (Class BV) – Transfer Gus's on the Bay, Inc.
d/b/a Iggy's Boardwalk
885 Oakland Beach Avenue**

ACTION:

4. Colonel Stephen M. McCartney to submit the filing of applications for license renewals for liquor establishments located within the City of Warwick to keep and sell intoxicating beverages under the provisions of the Title 3 of the Rhode Island General Laws of 1956, as

amended, for a period beginning 12:01 a.m. December 1, 2013 and ending at 12:00 a.m. December 1, 2014. This is the annual presentation of the list for renewal of all alcoholic beverage holders.

Class - BV

Doherty's Ale House (BV-054)

ACTION:

5. Liquor License (Class BV) - Transfer Kan LLC
d/b/a The Shanty
3854 Post Road

ACTION:

6. Liquor License (Class F1) John Gazzero
OLP Center, Inc.
Event held at Aldrich Mansion
12/6/13 - 6:00p.m. – 10:00p.m.
12/9/13 – 7:00p.m. – 11:00p.m.
12/14/13 – 6:00p.m.– 11:00p.m.

12/21/13 – 6:00p.m. - 11:00p.m.

ACTION:

7. Chelo's on the Waterfront (Noise Violation/Complaints) – September 29, 2013

“On Sunday, September 29, 2013 at approximately 1914 hours I, Officer Jason Cooke, was dispatched to both 25 Reeland Avenue and 55 Island View Drive for the report of a noise complaint from the Waterfront Chelos.

I already had the sound meter in my possession as I had responded to 55 Island View for a noise reading earlier that evening. While I was previously at that address at approximately 1830 hours on September 29, 2013, I met with the reporting party who was identified as Tariq Malik (DOB 1/22/37), who had called for a noise complaint. I could not hear any music at this time, however, I still took two readings. The first reading was at 1833 and the meter read 49.3 decibels. The second was taken at 1836 and the meter read 47.8 decibels. In speaking with Malik, he stated that the band must be on break, because there was no noise at this time. He was advised to call back if the noise level reached a volume that became a disturbance.

I arrived at 25 Reeland and at 1929 hours I took the first reading that

was 51.6 decibels. I took a second reading at 1935 hours that was 50.7 decibels. It should be noted that I took these readings with the resident/reporting party present, so she could also observe the readings. The readings were taken from her front deck, because she requested to take the readings from that location. She was advised of the readings and was told that it would be documented.

I then proceeded to 55 Island View where I met with the reporting party/resident Tariq Malik. I took several readings from the front door of his property facing the Chelo's restaurant. The first reading was at 1944 hours and it was 54.0 decibels. The second reading was 1947 hours and was 58.9 decibels. Malik was shown the two readings and asked if I would wait a few more minutes for the last song to be played. He indicated that when the last song is played, that is usually when the noise level is the loudest. Malik also stated that he know that the music would be over at 2000 hours and requested that I take a reading a few minutes before that time.

I waited until 1953 hours and took a final reading of 64.8 decibels which was above the limit of 60 decibels for the Warwick City Ordinance, 40-13, Section 1, Section A, of municipal noise levels.

During the time I took this final reading at 1953 hours there has not

other distinguishable noise present other than the music from Chelo's. Neither Malik nor I were talking at the time of the readings. There was also no wind or loud vehicles on the roadway and there were no transmissions on my radio. Malik was allowed to view all three readings from the sound meter. Malik was advised that I would be responding to Chelo's to issue a violation.

I then responded to Chelo's and met with Lieutenant Gilbert and the manager on duty who was identified as Brandon Chelo (DOB 06/04/90). I informed Chelo of the violation, and he was issued a citation for municipal noise levels (Warwick Municipal Court Violation #21151). It was issued in hand to Chelo and he was given the case number for his reference.

It should be noted that the sound meter I was using was an Extech Instrument model #407732m serial number #Z201926, and it was calibrated prior to my use.

ACTION:

8. Shannon View Inn (Noise Violation/Complaints) – September 27, 2013

“On Friday, September 27, 2013 at 1942 hours, I (Officer Steven Nelson) was dispatched to

24 Elkland Road for a report of very loud music and I spoke with Sharon Lupo. The music was coming from the rear of 1901 Post Road. The Shannon View Inn was having a band, in an open tent, on the back of the property of 1901 Post Road. I could hear the music noticeably loud from the front porch of 24 Elkland Road. I was invited inside and at that time the band took a break (stopped playing) and the noise level from the tent subsided to a quieter level.

I waited a few minutes for the noise meter to be dropped off at my location. I calibrated the meter and then started to take readings from the rear of the property line of 24 Elkland Road, the band was playing at this time and was noticeably loud. As I was taking readings, other noise complaints came in to WPD dispatch.

The readings from the rear of 24 Elkland Road were recorded in Call #13-53146:

The meter was taken at the rear property line of 24 Elkland. Noise levels taken with the band playing. It should be noted that the readings were taken when other ambient noise was low.

1st reading 71.4 dba – 78.9 db 2021 hours

2nd reading 71.7 dba – 75.2 db 2029 hours

3rd reading 72.3 dba – 74.9 db 2037 hours

71.8 dba is the average of the lowest reading. Well over the 60 dba limit between 8a.m. – 10 p.m.

I responded over and advised the owner/manager, Mr. David Miller, of the infraction and he stopped the band soon after. I also advised Sgt. Kelly of the results.

On October 2, 2013, I stopped at Shannon View Inn and issued the business a municipal violation #21277 for NOISE (Warwick Ord. 40-13). Mr. David Miller was not at the business but was called on the phone and notified of the violation. I advised Miller that I would have the Bartender sign for the violation. I had Elizabeth Grey, Shannon View employee, sign the violation. Ms Grey signed and printed her name. The violation is a pay by mail and a court date of November 21, 2013 at 6 p.m. was given.

ACTION:

Shannon View Inn (Liquor License Violation) – October 12, 2013

On October 12, 2013 Officer Keri Leighton was performing a liquor law check at 2:12 a.m. at the Shannon View Inn and found three employees inside the establishment after hours.

Due to the aforementioned facts, the management of the Shannon View Inn is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.

9. CLEARANCE OF PREMISE AND ASSOCIATED AREAS:

A. All patrons shall leave the licensed premise within one-half hour after the required closing time, and all employees and patrons shall leave licensed premises within one hour after the required closing time, and all employees and patrons shall leave the associated parking and outside areas within one hour after the required closing time.

ACTION:

**9. Second Hand Dealer (New) - Pawn Family Jewels & Loan, Inc.
Family Jewels & Loan
1680 Warwick Avenue**

ACTION:

10. Holiday Sales (New) Family Jewels & Loan, Inc.
Family Jewels & Loan
1680 Warwick Avenue

ACTION:

11. Second Class Victualer (New) Rayan Mart, LLC
d/b/a Rayan Mart
1625 Post Road

ACTION:

12. Holiday Sales (New) Rayan Mart, LLC
d/b/a Rayan Mart
1625 Post Road

ACTION:

13. Tobacco Dealer (New) Rayan Mart, LLC
d/b/a Rayan Mart
1625 Post Road

ACTION:

14. Used Car Dealer (New) Imad Melhem
Sandy Lane Auto, LLC
d/b/a Sandy Lane Auto
2672 West Shore Road

ACTION:

15. Holiday Sales (New) Imad Melhem
Sandy Lane Auto, LLC
d/b/a Sandy Lane Auto
2672 West Shore Road

ACTION:

16. Second Class Victualer (New) Prince Food Market, LLC
d/b/a Prince Food Market
705 Warwick Avenue

ACTION:

17. Holiday Sales (New) Prince Food Market, LLC
d/b/a Prince Food Market
705 Warwick Avenue

ACTION:

18. Tobacco Dealer (New) Prince Food Market, LLC
d/b/a Prince Food Market
705 Warwick Avenue

ACTION:

19. Holiday Sales (New) Zumiez, Inc.
400 Bald Hill Road
Warwick Mall

ACTION:

20. Arts & Crafts Reverend Andrew Messina

St. Timothy's Church

1799 Warwick Avenue

Event to be held at the Church

11/31/13 – 10:00a.m. – 6:00p.m.

12/1/13 – 10:00a.m. – 2:00p.m.

ACTION:

21. Itinerant Vendor Eric Caldeira

Gathering of Styles

Event to be held at Crowne Plaza

November 9, 2013, 10:00 a.m.

ACTION:

22. Itinerant Vendor Shelly Coulombe

Holiday Shopping Event

Event to be held at Crowne Plaza

November 24, 2013

10:00 a.m. – 3:00 p.m.

ACTION:

23. Black Friday requests for Midnight opening on November 29, 2013:

A Christmas to Remember (Warwick Mall)

Accessory City (Warwick Mall)

Best Buy (Bald Hill Road)

Claire's (Warwick Mall)

Foot Locker (Warwick Mall)

Game Stop (Cowesett Corners)

Game Stop (Warwick Mall)

Kohl's (650 Bald Hill Road)

Sears (650 Bald Hill Road)

Sports Authority (Warwick Mall)

Zumiez (Warwick Mall)

ACTION:

24. Game of Chance/Raffle Chris Iannucci

Boys & Girls Clubs of Warwick

Event to be held at Clubs

11/1/13 – 4/26/14

ACTION:

25. Game of Chance/Raffle Sharon Plante

Tri-State Horsemen's Assoc.

Event to be held at Crowne Plaza

November 2, 2013

ACTION:

26. Game of Chance/Raffle Sharon Plante
Tri-State Horsemen's Assoc.
Event to be held at Crowne Plaza
November 2, 2013

ACTION:

27. Game of Chance/Raffle Sharon Plante
Tri-State Horsemen's Assoc.
Event to be held at Crowne Plaza
November 2, 2013

ACTION:

28. Game of Chance/Raffle Shirley Kolarik
St. Mark's Episcopal Church
811 West Shore Road
Event to be held at Church
November 16, 2013

ACTION:

29. Game of Chance/Raffle Mary Townsend

AFSCME Council 94

Event to be held at JONAH

November 10, 2013

8:00 a.m. – 1:00 p.m.

ACTION:

30. Game of Chance/Raffle Beverlee Sturdahl

Warwick Democratic City Com.

Event to be held at 475 Sandy Ln

12/16/13 – 6/19/14

ACTION:

31. Game of Chance/Raffle George Landrie

Toll Gate High School

Music Department

Event to be held at School

December 12, 2013

6:00 p.m. – 8:00 p.m.

ACTION:

32. Game of Chance/Raffle Luis DelRio

Providence Lions Club

Event to be held at Radisson

January 25, 2014

7:00 p.m. – 11:00 p.m.

ACTION:

33. Live Entertainment (Inside) Joshua Soulliere

Bo's Bar & Billiards, Inc.

November 27, 2013

9:00 p.m. – 12:30 a.m.

ACTION:

34. Live Entertainment (Inside) Joshua Soulliere

Bo's Bar & Billiards, Inc.

November 29, 2013

9:00 p.m. – 12:30 a.m.

ACTION:

35. Discussion and Vote regarding specific retiree's non-compliance with disability pension benefits.

ACTION:

Agendas posted at Police Headquarters and City Hall on November 7, 2013.

Individuals in need of interpreter services for the hearing impaired must notify the

City Clerk's office at (401) 738-2000 at least 72 hours prior